

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10

11 IN RE: SOCIAL MEDIA ADOLESCENT
12 ADDICTION/PERSONAL INJURY
13 PRODUCTS LIABILITY LITIGATION

MDL No. 3047

Case Nos.: 4:22-md-03047-YGR-PHK

14 THIS DOCUMENT RELATES TO:
15 ALL ACTIONS

**THIRD STATUS UPDATE,
STIPULATION, AND [PROPOSED]
ORDER REGARDING PLAINTIFFS'
AND YOUTUBE'S DMCS RIPE
DISPUTES ISSUES 2 AND 3**

Judge: Hon. Yvonne Gonzalez Rogers
Magistrate Judge: Hon. Peter H. Kang

16
17
18
19 Defendants YouTube, LLC and Google LLC (together, "YouTube"), and PI/SD Plaintiffs
20 (collectively, the "Parties"), respectfully submit this update and stipulation to the Court:

21 WHEREAS, on October 18, 2024, the Parties filed a Discovery Case Management
22 Statement (in advance of the October 24, 2024 Discovery Case Management Conference),
23 providing the Court with discovery updates, including ripe discovery disputes. With respect to
24 YouTube, the Parties raised, among other things, Ripe Dispute No. 2 [*YouTube's Amended*
25 *Responses or Confirmation in Writing of Agreements Reached by Parties*], and Ripe Dispute No.
26 3 [*YouTube's Search of Non-Custodial Sources Identified by PI/SD Plaintiffs*]. The Parties
27 provided their substantive positions on Ripe Dispute No. 2 in the Discovery Case Management
28

1 Statement and reported that they intended to file a joint letter brief on Ripe Dispute No. 3 by
2 October 22, 2024, so that both issues could be considered by the Court at the October 24, 2024
3 conference.

4 WHEREAS, on October 22, 2024, the Parties submitted a Status Update, Stipulation, and
5 Proposed Order Regarding Plaintiffs' and YouTube's DMCS Ripe Disputes Issues 2 and 3, in
6 which the Parties respectfully requested that the Court defer decision on these disputes so that the
7 Parties can engage in further meet and confers. *See* ECF 1246. In the proposed order, the Parties
8 requested that the deadline for briefing on Issues 2 and 3 be no later than November 15, 2024. *See*
9 *id.*

10 WHEREAS, on October 23, 2024, the Court entered the Proposed Order Regarding
11 Plaintiffs' and YouTube's DMCS Ripe Disputes Issues 2 and 3, setting the briefing deadline for
12 November 15, 2024. *See* ECF 1250.

13 WHEREAS, on October 25, 2024, YouTube provided to Plaintiffs, in writing, agreed upon
14 information regarding its search of non-custodial sources pursuant to the parties' Stipulation.

15 WHEREAS, on November 15, 2024, the Parties submitted a Second Status Update,
16 Stipulation, and Proposed Order Regarding Plaintiffs' and YouTube's DMCS Ripe Disputes Issues
17 2 and 3, requesting additional time to meet and confer. *See* ECF 1335. In the proposed order, the
18 Parties requested that the deadline for briefing on Issues 2 and 3 be no later than December 10,
19 2024. *See id.*

20 WHEREAS, on November 20, 2024, the Court entered the Proposed Order Regarding
21 Plaintiffs' and YouTube's DMCS Ripe Disputes Issues 2 and 3, setting the briefing deadline for
22 December 10, 2024. *See* ECF 1353.

23 NOW AND THEREFORE, the Parties respectfully request that the Court modify the
24 timeline set forth in the Order so that the Parties can engage in further meet and confers, and that
25 the Court adopts the following schedule to ensure timely and efficient briefing of these issues:

- 26 a. The Parties will continue to meet and confer on Ripe Dispute Issues 2 and 3;
27
28

b. No later than January 8, 2024, the Parties will hold an H(2) on any remaining issues on Ripe Dispute Issues 2 and 3; and,

c. No later than January 14, 2024, the Parties will file joint letter briefs as to any remaining issues on Ripe Dispute Issues 2 and 3, so that the Court may consider the briefs at the January Discovery Case Management Conference.

d. The Parties agree to meet and confer in good faith at Plaintiffs' reasonable request for information regarding YouTube's search and production from non-custodial sources newly identified by Plaintiffs in YouTube's document production that appear likely to contain relevant information or in response to an identified deficiency. Plaintiffs agree that they will be reasonable and judicious in making any such requests.

IT IS SO STIPULATED AND AGREED,

DATED: December 10, 2024

WILSON SONSINI GOODRICH & ROSATI

Professional Corporation

By: /s/ Lauren Gallo White

Lauren Gallo White (State Bar No. 309075)

Samantha A. Machock (State Bar No. 298852)

WILSON SONSINI GOODRICH & ROSATI PC

One Market Plaza, Spear Tower, Suite 3300

San Francisco, CA 94105

Telephone: (415) 947-2000

Facsimile: (415) 947-2099

Email: lwhite@wsgr.com

Email: smachock@wsgr.com

Brian M. Willen (*pro hac vice*)

WILSON SONSINI GOODRICH & ROSATI PC

1301 Avenue of the Americas, 40th Floor

New York, New York 10019

Telephone: (212) 999-5800

Facsimile: (212) 999-5899

Email: bwillen@wsgr.com

Christopher Chiou (State Bar No. 233587)

Matthew K. Donohue (State Bar No. 302144)

WILSON SONSINI GOODRICH & ROSATI PC

953 East Third Street, Suite 100

Los Angeles, CA 90013

Telephone: (323) 210-2900

Facsimile: (866) 974-7329
Email: cchiou@wsgr.com
Email: mdonohue@wsgr.com

*Attorneys for Defendants YouTube, LLC and
Google LLC*

DATED: December 10, 2024

By: Lexi J. Hazam

LEXI J. HAZAM
**LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP**
275 Battery Street, 29th Floor
San Francisco, CA 94111-3339
Telephone: 415-956-1000
lhazam@lchb.com

PREVIN WARREN
MOTLEY RICE LLC
401 9th Street NW Suite 630
Washington DC 20004
Telephone: 202-386-9610
pwarren@motleyrice.com

Co-Lead Counsel

CHRISTOPHER A. SEEGER
SEEGER WEISS, LLP
55 Challenger Road, 6th floor
Ridgefield Park, NJ 07660
Telephone: 973-639-9100
Facsimile: 973-679-8656
cseeger@seegerweiss.com

Counsel to Co-Lead Counsel and Settlement
Counsel

JENNIE LEE ANDERSON
ANDRUS ANDERSON, LLP
155 Montgomery Street, Suite 900
San Francisco, CA 94104
Telephone: 415-986-1400
jennie@andrusanderson.com

Liaison Counsel

JOSEPH G. VANZANDT
**BEASLEY ALLEN CROW METHVIN
PORTIS & MILES, P.C.**
234 Commerce Street
Montgomery, AL 36103
Telephone: 334-269-2343
joseph.vanzandt@beasleyallen.com

EMILY C. JEFFCOTT
MORGAN & MORGAN

220 W. Garden Street, 9th Floor
Pensacola, FL 32502
Telephone: 850-316-9100
ejeffcott@forthepeople.com

Federal/State Liaison Counsel

MATTHEW BERGMAN
SOCIAL MEDIA VICTIMS LAW CENTER
821 Second Avenue, Suite 2100
Seattle, WA 98104
Telephone: 206-741-4862
matt@socialmediavictims.org

JAMES J. BILSBORROW
WEITZ & LUXENBERG, PC
700 Broadway
New York, NY 10003
Telephone: 212-558-5500
Facsimile: 212-344-5461
jbilsborrow@weitzlux.com

JAYNE CONROY
SIMMONS HANLY CONROY, LLP
112 Madison Ave, 7th Floor
New York, NY 10016
Telephone: 917-882-5522
jconroy@simmonsfirm.com

ANDRE MURA
GIBBS LAW GROUP, LLP
1111 Broadway, Suite 2100
Oakland, CA 94607
Telephone: 510-350-9717
amm@classlawgroup.com

ALEXANDRA WALSH
WALSH LAW
1050 Connecticut Ave, NW, Suite 500
Washington D.C. 20036
Telephone: 202-780-3014
awalsh@alexwalshlaw.com

MICHAEL M. WEINKOWITZ
LEVIN SEDRAN & BERMAN, LLP
510 Walnut Street Suite 500
Philadelphia, PA 19106
Telephone: 215-592-1500
mweinkowitz@lfsbalw.com

Plaintiffs' Steering Committee Leadership

RON AUSTIN
RON AUSTIN LAW
400 MANHATTAN BLVD

1 HARVEY, LA 70058
2 Telephone: 504-227-8100
3 raustin@ronaustinlaw.com

4 PAIGE BOLDT
5 **WATTS GUERRA LLP**
6 4 Dominion Drive, Bldg. 3, Suite 100
7 San Antonio, TX 78257
8 Telephone: 210-448-0500
9 PBoldt@WattsGuerra.com

10 THOMAS P. CARTMELL
11 **WAGSTAFF & CARTMELL LLP**
12 4740 Grand Avenue, Suite 300
13 Kansas City, MO 64112
14 Telephone: 816-701 1100
15 tcartmell@wcllp.com

16 SARAH EMERY
17 **HENDY JOHNSON VAUGHN EMERY, PSC**
18 2380 Grandview Drive
19 Ft. Mitchell, KY 41017
20 Telephone: 888-606-5297
21 semery@justicestartshere.com

22 CARRIE GOLDBERG
23 **C.A. GOLDBERG, PLLC**
24 16 Court St.
25 Brooklyn, NY 11241
26 Telephone: (646) 666-8908
27 carrie@cagoldberglaw.com

28 RONALD E. JOHNSON, JR.
HENDY JOHNSON VAUGHN EMERY, PSC
600 West Main Street, Suite 100
Louisville, KY 40202
Telephone: 859-578-4444
rjohnson@justicestartshere.com

SIN-TING MARY LIU
**AYLSTOCK WITKIN KREIS &
OVERHOLTZ, PLLC**
17 East Main Street, Suite 200
Pensacola, FL 32502
Telephone: 510-698-9566
mliu@awkolaw.com

JAMES MARSH
MARSH LAW FIRM PLLC
31 Hudson Yards, 11th floor
New York, NY 10001-2170
Telephone: 212-372-3030
jamesmarsh@marshlaw.com

HILLARY NAPPI

HACH & ROSE LLP
112 Madison Avenue, 10th Floor
New York, New York 10016
Telephone: 212.213.8311
hnappi@hrsclaw.com

EMMIE PAULOS
LEVIN PAPANTONIO RAFFERTY
316 South Baylen Street, Suite 600
Pensacola, FL 32502
Telephone: 850-435-7107
epaulos@levinlaw.com

RUTH THI RIZKALLA
THE CARLSON LAW FIRM, P.C.
1500 Rosecrans Ave., Ste. 500
Manhattan Beach, CA 90266
Telephone: 415-308-1915
rrizkalla@carlsonattorneys.com

ROLAND TELLIS
DAVID FERNANDES
BARON & BUDD, P.C.
15910 Ventura Boulevard, Suite 1600
Encino, CA 91436
Telephone: (818) 839-2333
Facsimile: (818) 986-9698
rtellis@baronbudd.com
dfernandes@baronbudd.com

MELISSA YEATES
JOSEPH E. MELTZER
KESSLER TOPAZ MELTZER & CHECK, LLP
280 King of Prussia Road
Radnor, PA 19087
Telephone: 610-667-7706
myeates@ktmc.com
jmeltzer@ktmc.com

DIANDRA "FU" DEBROSSE ZIMMERMANN
DICELLO LEVITT
505 20th St North Suite 1500
Birmingham, Alabama 35203
Telephone: 205.855.5700
fu@dicellolevitt.com

Plaintiffs' Steering Committee Membership

Attorneys for Plaintiffs

ATTESTATION

I, Ellyn Hurd, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1(i)(3), that the concurrence to the filing of this document has been obtained from each signatory hereto.

Dated: December 10, 2024

By: Ellyn H. Hurd
Ellyn H. Hurd

ORDER

IT IS SO ORDERED that the foregoing Stipulation is approved:

DATED: _____

Hon. Peter H. Kang
United States District Court Magistrate Judge